

10/538018

JC17 Rec'd PCT/PTO 07 JUN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	(To Be Assigned) PCT/EP2003/011782	Confirmation No. :	(TBA)
First Named Inventor	:	Dietmar SCHWARZENTHAL		
Filed	:	June 7, 2005		
TC/A.U.	:	(To Be Assigned)		
Examiner	:	(To Be Assigned)		
Docket No.	:	028987.55976US		
Customer No.	:	23911		
Title	:	Method for Varying Valve Timing of an Internal Combustion Engine		

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R §§ 1.97 AND 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached Form PTO-1449 and which the Examiner may deem relevant to patentability of the claims of the above-identified application.

Copies of references AA-AF, AH, and AM listed on the attached Form PTO-1449 have already been provided by the International Searching Authority and, therefore, duplicate copies are not attached hereto. Applicant enclosed herewith the International Search Report citing the listed documents and indicating the degree of relevance found.

Documents AG and AI are discussed in the specification of the international application.

An English abstract summarizing the disclosure of document AJ is attached. Document AL is a British Application corresponding to document AJ.

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Atty. Docket No. 028987.55976US  
PCT/EP 2003/011782  
PATENT

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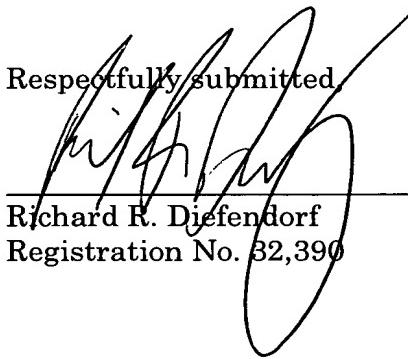
Documents AG, AL and AN are discussed in a German Office Action dated September 3, 2003 (copy attached, with a partial English Translation of the relevant pages) generated in connection with the German Priority Application. Copies of documents AG, AL and AN are attached.

The present Information Disclosure Statement is being filed (1) no later than three months from the U.S. National Phase entry date or (2) before the mailing date of the first Office Action on the merits (whichever is later), and therefore no certification under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,

June 7, 2005

  
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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<i>Complete if Known</i>	
		Application Number	(To Be Assigned) <b>01538018</b>
		Filing Date	June 7, 2005
		First Named Inventor	Dietmar SCHWARZENTHAL
		Art Unit	(To Be Assigned)
		Examiner Name	(To Be Assigned)
Sheet	1	of	2
		Attorney Docket Number <b>028987.55976US</b>	

U.S. PATENT DOCUMENTS						
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
AA	US- 5,398,502	A	03/21/1995	WATANABE		
AB	US- 5,427,078	A	06/27/1995	HITOMI, ET AL.		
	US-					
	US-					
	US-					
	US-					
	US-					

FOREIGN PATENT DOCUMENTS							
Examiner Initials <sup>1</sup>	Cite No. <sup>1</sup>	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)					
AC	DE 196 08 533 A1			09/11/1997	DUMMANN		
AD	DE 198 55 984 A1			06/15/2000	PORSCHE AG		
AE	JP 2000054847			02/22/2000	HONDA MOTOR CO LTD.		
AF	DE 39 01 721 A1			08/02/1990	DAIMLER- BENZ AG		
AG	DE 196 06 054 C2			07/30/1998	PORSCHE AG		
AH	EP 0 317 372 A1			05/24/1989	HONDA MOTOR CO LTD		
AI	DE 38 76 762 T2			04/22/1993	Honda Giken Kogyo K.K.		
AJ	DE 691 16 877 T2			09/05/1996	PHOENIX, et al.		
AK	GB 2 246 831 A			02/12/1992	PHOENIX, et al.		
AL	DE 2 029 911			01/07/1971	Associated Engineering Ltd.		
AM	DE 196 06 054 A1			08/21/1997	Dr. Ing.h.c. F. Porsche AG		

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(use as many sheets as necessary)			
Sheet	2	of	2
		<i>Complete if Known</i>	
Application Number		(To Be Assigned) <b>10/1538018</b>	
Filing Date		(Herewith)	
First Named Inventor		<b>Dietmar SCHWARZENTHAL</b>	
Art Unit		(To Be Assigned)	
Examiner Name		(To Be Assigned)	
		Attorney Docket Number <b>028987.55976US</b>	

## **NON-PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**1** Applicant's unique citation designation number (optional). **2** Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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